UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/715,179
Filing Date: November 17, 2003
Appellant(s): SIMSKE ET AL.

Alan D. Christenson (Reg. No.54,036)
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/16/2008 appealing from the Office action

mailed 1/24/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial

proceedings which will directly affect or be directly affected by or have a bearing on the

Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is

correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,907,112   GUEDALIA   6-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by

Guedalia et al., US pat. No.6,907,112.

As to claim 1, Guedalia discloses a system, comprising:

a user voice interface and a processor coupled to the user voice interface, wherein the

processor interprets words spoken by a user through the user voice interface (using

voice response computer for processing voice electronic mail, see fig.1A, abstract,

col.22 lines 8-59 and col.26 line 27 to col.27 line 38); and

a memory coupled to the processor, wherein the memory stores an email application

executed by the processor, wherein the email application summarizes email messages

and navigates a plurality of email messages according to the words spoken by the user

(using text to speech converter, see col.22 line 60 to col.23 line 49).

As to claim 2, Guedalia discloses that the email application accesses information on a network related to a word spoken by the user and displays the information to the user (see col.22 line 60 to col.23 line 49).

As to claim 3, Guedalia discloses that the email application provides content-based re-direction between at least two items selected from the group consisting of emails and email attachments (see col.24 lines 14-60).

As to claims 4 and 5, Guedalia discloses that the user voice interface is selected from the group consisting of a cell phone, a telephone, and a microphone and a speaker coupled to the processor, wherein the speaker audibly communicates options provided by the email application to the user (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 6, Guedalia discloses that the speaker further allows written content of emails and email attachments to be communicated audibly to a user of the email application (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 7, Guedalia discloses wherein the email application controls email content presented to a user according to at least one voice-controlled function selected from a group consisting of expanding a summary sentence to a surrounding paragraph, contracting an email paragraph to a summary sentence, contracting an email to a

summary, accessing a next instance of a topic in an email, accessing a next instance of

a topic in an email attachment, repeating a sentence of an email, repeating a paragraph

of an email, repeating an email, skipping to the end of an email, and accessing emails

within an email string (see col.27 lines 8-65).

As to claims 8 and 9, Guedalia discloses that the email application weights words of a

text to generate summaries of emails and email attachments and the email application

allows a user to dictate words for a voice-activated function selected from a group

consisting of creating an email message, editing an email attachment, filling in fields of

an email, and creating an audio version of an email (see fig.2A, col.24 line 26 to col.25

line 44 and col.26 lines 10-46).

As to claim 10, Guedalia discloses that the email application permit a user via voice

commands to perform a function selected from a group consisting of adding an

attachment to an existing attachment, editing an existing attachment, adding an

attachment from a remote server, adding a URL-based attachment, and adding meta-

data to a header of an attachment (see col.24 line 26 to col.25 line 44).

As to claim 11, Guedalia discloses a method, comprising: receiving voice commands;

selecting a mode for sequencing through a plurality of emails according to a voice

command (using voice response computer for processing voice electronic mail, see

fig.1A, abstract, col.22 lines 8-59); presenting content of a select email to a user

according to a voice command and accessing an email containing text related to the

presented email according to a voice command (using text to speech converter, see

col.22 line 60 to col.23 line 49).

As to claim 12, Guedalia discloses accessing an email attachment related to the

presented content of the selected email according to a voice command (see col.22 line

60 to col.23 line 49).

As to claim 13, Guedalia discloses activating an interrupt while presenting content of the

selected email according to a voice command, wherein the interrupt causes an action

selected from a group consisting of: exiting an email browser; going to a next email;

going to a previous email; opening an attachment; and returning to an email sequencing

mode select menu (see col.24 lines 14-60).

As to claim 14, Guedalia discloses wherein the mode for sequencing through a plurality

of emails is selected from a group consisting of an entire email mode, an email

summary mode, an email subject mode, an email sender mode, and an important

emails mode (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claims 15-17, Guedalia discloses dictating an email message according to a voice

command, adding an email attachment according to a voice command and editing an

email attachment according to a voice command (see fig.2A, col.24 line 26 to col.25 line

44 and col.26 lines 10-46).

As to claim 18, Guedalia discloses searching for information on a network related to text

of an email using a voice command (see col.24 line 26 to col.25 line 44).

As to claim 19, Guedalia discloses a computer readable medium containing instructions

that are executable by a computer system, and when executed the instructions

implement a method comprising:

selecting a mode for sequencing a plurality of emails according to a voice command of

a user; dynamically changing content presentation of a select email according to a voice

command of the user (using voice response computer for processing voice electronic

mail, see fig.1A, abstract, col.22 lines 8-59); and

accessing an email containing text related to the select email according to a voice

command of a user (using text to speech converter, see col.22 line 60 to col.23 line 49).

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As to claim 20, Guedalia discloses executing the instructions implement a method

further comprising summarizing emails and email attachments presentable to the user

(see col.22 line 60 to col.23 line 49).

 As to claim 21, Guedalia discloses using voice-based web navigation techniques to

perform a search for information related to content of the select email and audibly

presenting results of said search to the user (see fig.2A, col.24 line 26 to col.25 line 44

and col.26 lines 10-46).

As to claim 22, Guedalia discloses dictating words of an email according to a voice-activated function selected from a group consisting of automatic speech recognition, automatic speech recognition with text-to-speech feedback, automatic speech recognition plus an audio attachment, and audio only (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

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As to claim 23, Guedalia discloses performing a voice-activated function selected from a group consisting of adding an attachment to an existing attachment, editing an existing attachment, adding an attachment from a remote server, adding a URL-based attachment, and adding meta-data to a header of an attachment (see fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 24, Guedalia discloses managing interrupts while an email is being presented, wherein the interrupts are selected from a group consisting of exiting the email application, accessing a next email, accessing a previous email, opening an attachment, returning to an email sequencing menu, accessing another email that contains similar content, and accessing an email attachment that contains similar content (see col.22 line 60 to col.23 line 49).

As to claim 25, Guedalia discloses managing access to related email, wherein the

emails are related by at least one item selected from a group consisting of topic, TO

field, FROM field, SUBJECT field, temporal cue, and attachments (see fig.2A, col.24

line 26 to col.25 line 44 and col.26 lines 10-46).

Claims 26 and 27 are rejected for the same reasons set forth in claims 1 and 20

respectively.

As to claim 28, Guedalia discloses accessing information related to text content of an

email wherein the information is accessed from a source selected from a group

consisting of emails, email attachments, Internet content, and Intranet content (see

fig.2A, col.24 line 26 to col.25 line 44 and col.26 lines 10-46).

As to claim 29, Guedalia discloses that the email sequencing mode allows a user to

visually or audibly access text selected from a group consisting of entire emails, email

summaries, email senders, email subjects, and important emails (see fig.2A, col.24 line

26 to col.25 line 44 and col.26 lines 10-46).

(10) Response to Argument

- Appellant asserts that the cited reference does not disclose "the email

    application summarizes email messages".

In claim 1, Examiner respectfully point out that Guedalia discloses the Appellant

claimed invention by disclosing "an email application that summarizes email messages

by sending an email reply/response (email application) containing only a link to the

audio file rather than the file itself (entire email file) (see e abstract, col.22 lines 8-59

and col.20 line 29 to col.31 line 8). The purpose of this application is not to broadcast

sensitive information over the web and users do not have to use the web browser to

listen to the voice reply. Moreover, Guedalia discloses parsing each of email messages

into small units such as individual sentences (see col.31 lines 22-64). Therefore, it

meets the breadth of the claim.

- Appellant asserts that the cited reference does not disclose the email application

  provides content based redirection between at least two items selected from the

  group containing emails and email attachments.

In claim 3, Examiner respectfully point out that Guedalia discloses the email

application provides content based redirection between at least two items selected

from the group containing emails and email attachments (there are two ways to send

a response email using a voice response unit. For example, mobile users can use

the first menu (email implementation) or the second menu (attaching speech reply

as a WAV file attachment) (see col.21 lines 13-37 and col. 24 lines 14-60).

- Appellant asserts that the cited reference does not disclose "wherein the email application controls email content presented to a user according to at least one voice-controlled function selected from a group consisting of expanding a summary sentence to a surrounding paragraph, contracting an email paragraph to a summary sentence, contracting an email to a summary, accessing a next instance of a topic in an email, accessing a next instance of a topic in an email attachment, repeating a sentence of an email, repeating a paragraph of an email, repeating an email, skipping to the end of an email, and accessing emails within an email string".

In claim 7, Examiner respectfully point out that Guedalia discloses the Appellant's claim invention. However, in the claim language, Appellant claims "...to at least one voice controlled function **selected from the group consisting of** *expanding a summary sentence to a surrounding paragraph, contracting an email paragraph to a summary sentence, contracting an email to a summary, accessing a next instance of a topic in an email, accessing a next instance of a topic in an email attachment, repeating a sentence of an email, repeating a paragraph of an email, repeating an email, skipping to the end of an email, and accessing emails within an email string",* **not the whole group**; *therefore, Examiner's interpretation of the claim language that only one limitation from the group's limitations is selected such as contracting an email into a summary (parsing each of email messages into small units such as individual sentences, see col.31 lines 22-64).*

- Appellant asserts that the cited reference does not disclose the application weight words of a text to generate summaries of emails and email attachments.

  In claim 8, Examiner respectfully point out that Guedalia discloses the application weight words of a text to generate summaries of emails and email attachments (parsing each of email massages into small units such as individual sentences, see col.31 lines 22-64).

- Appellant asserts that the cited reference does not disclose " the email application permit a user via voice commands to perform a function selected from a group consisting of adding an attachment to an existing attachment, editing an existing attachment, adding an attachment from a remote server, adding a URL-based attachment, and adding meta-data to a header of an attachment ".

  Examiner respectfully point out that Guedalia discloses claim limitation. However, in the claim language, Appellant claims "...to perform a function selected from the group consisting of adding an attachment to an existing attachment, editing an existing attachment, adding an attachment from a remote server, adding a URL-based attachment, and adding meta-data to a header of an attachment", not the whole group; Therefore, Examiner's interpretation of the claim language that only one limitation from the group's limitations is selected such as adding an attachment

from a remote server (adding speech reply as a WAV file attachment to the email

reply, see col.21 lines 13-58 and col.31 lines 22-64).

- Appellant asserts that the cited reference does not disclose selecting a mode for

  sequencing through a plurality of emails according to a voice command.

  Examiner respectfully point out that Guedalia discloses selecting a mode for

  sequencing through a plurality of emails according to a voice command (using voice

  response computer (100 fig.6) to process two email messages according to users'

  instruction by voice command, see figs.6, 7, col.30 line 51 to col.31 line 58).

- Appellant asserts that the cited reference does not disclose accessing an email

  containing text related to the presented email according to a voice command.

  Examiner respectfully point out that Guedalia discloses accessing an email

  containing text related to the presented email according to a voice command

  (processing tasks for multi email messages such as conversion in response to users'

  voice response to the voice response computer, see figs.6, 7, col.30 line 51 to col.31

  line 58).

- Appellant asserts that the cited reference does not disclose activating an interrupt

  while presenting content of the selected email according to a voice command

causing from a group selected from a group of activating an interrupt while

presenting content of the selected email according to a voice command, wherein the

interrupt causes an action selected from a group consisting of: exiting an email

browser; going to a next email; going to a previous email; opening an attachment;

and returning to an email sequencing mode select menu.

Examiner respectfully point out that Guedalia discloses activating an interrupt

(waiting for an acknowledgment) while presenting content of the selected email

according to a voice command causing from a group selected from a group of " ..."

Appellant claims "...to perform **a function selected from the group consisting of**

activating an interrupt while presenting content of the selected email according to a

voice command, wherein the interrupt causes an action selected from a group

consisting of: exiting an email browser; going to a next email; going to a previous

email; opening an attachment; and returning to an email sequencing mode select

menu", not the whole group; therefore, Examiner's interpretation of the claim

language that only one limitation from the group's limitations is selected such as

opening an email attachment (when an email client sends email containing a large

attachment, it must wait for an acknowledgment from an email server, see col.26

lines 17-65).

- Appellant asserts that the cited reference does not disclose the mode for sequencing

  through a plurality of emails is selected from a group consisting of an entire email

mode, an email summary mode, an email subject mode, an email sender mode, and an important emails mode.

*Examiner respectfully point out that Guedalia discloses the mode for sequencing through a plurality of emails is selected from a group selected from a group consisting of an entire email mode, an email summary mode, an email subject mode, an email sender mode, and an important emails mode.   Appellant claims "... to perform **a function selected from the group consisting of** an entire email mode, an email summary mode, an email subject mode, an email sender mode, and an important emails mode", not the whole group; therefore, Examiner's interpretation of the claim language that only one limitation from the group's limitations is selected such as an important email mode (performing text substitution, insertion or deletion to emails according to the voice response computer, see fig.7, col.31 lines 12-64).*

- Appellant asserts that the cited reference does not disclose selecting a mode for sequencing a plurality of emails according to a voice command of a user and dynamically changing content presentation of a selected email according to a voice command of a user.

Examiner respectfully point out that Guedalia discloses selecting a mode for sequencing a plurality of emails according to a voice command of a user and dynamically changing content presentation of a selected email according to a voice

command of a user (processing tasks for multi email messages such as conversion

and/or insertion in response to users' voice response to the voice response

computer, see figs.6, 7, col.30 line 51 to col.31 line 58).

- Appellant asserts that the cited reference does not disclose summarizing email and
  email attachments presented to the user.

Examiner respectfully point out that Guedalia discloses summarizing email and

email attachments presented to the user (parsing each of email massages into small

units such as individual sentences, see col.31 lines 22-64).

- Appellant asserts that the cited reference does not disclose user dials in to voice
  response computer to retrieve his email from email database.

Examiner respectfully point out that Guedalia discloses that the user dials in to voice

response computer to retrieve his email from email database (instructing the voice

response computer to post WAV and REALAUDIO files on an Internet web site, see

col.26 lines 10-57 and col.27 lines 8-50).

- Appellant asserts that the cited reference does not disclose managing interrupts
  while an email is being presented, wherein the interrupts are selected from a
  group consisting of exiting the email application, accessing a next email,

accessing a previous email, opening an attachment, returning to an email
sequencing menu, accessing another email that contains similar content, and
accessing an email attachment that contains similar content.

*In claim 24, Examiner respectfully point out that Guedalia discloses activating an
interrupt (waiting for an acknowledgment) while presenting content of the selected
email according to a voice command causing from a group selected from a group of
"exiting the email application, accessing a next email, accessing a previous email,
opening an attachment, returning to an email sequencing menu, accessing another
email that contains similar content, and accessing an email attachment that contains
similar content". Appellant claims "...to perform **a function selected from the
group consisting of** exiting the email application, accessing a next email,
accessing a previous email, opening an attachment, returning to an email
sequencing menu, accessing another email that contains similar content, and
accessing an email attachment that contains similar content", **not the whole group;**
therefore, Examiner's interpretation of the claim language that <u>only one limitation
from the group's limitations is selected such as opening an email attachment</u> (when
an email client sends email containing a large attachment, it must wait for an
acknowledgment from an email server, see col.26 lines 17-65).*

- Appellant asserts that the cited reference does not disclose means for dynamically changing email content presented to a user according to a voice command of the user.

Examiner respectfully point out that Guedalia discloses means for dynamically changing email content presented to a user according to a voice command of the user (using the voice response computer to process user's email messages and attachments, see col.21 line 41 to col.22 line 42).

- Appellant asserts that the cited reference does not disclose changing an email sequence mode according to a voice command from the user and dynamically changing email content presented to the user according to a voice command of the user

Examiner respectfully point out that Guedalia discloses changing an email sequence mode according to a voice command from the user and dynamically changing email content presented to the user according to a voice command of the user (processing tasks for multi email messages such as conversion and/or insertion in response to users' voice response to the voice response computer, see figs.6, 7, col.30 line 51 to col.31 line 58).

- Appellant asserts that the cited reference does not disclose

1. Examiner respectfully point out that Guedalia discloses summarizing text of an email summary (parsing each of email massages into small units such as individual sentences, see col.31 lines 22-64).

- Appellant asserts that the cited reference does not disclose the email sequencing mode allowing a user to visually or audibly access text selected from a group consisting of entire emails, email summaries, email senders, email subjects, and important emails.

*In claim 29, Examiner respectfully point out that Guedalia discloses the email mode allowing a user to visually or audibly access text selected from a group selected consisting of " ..." Appellant claims "...**selected from the group consisting of** entire emails, email summaries, email senders, email subjects, and important emails", not the whole group; therefore, Examiner's interpretation of the claim language to be <u>only one limitation from the group's limitations is selected such as important emails </u>(see col.33 lines 6-47 and col.34 lines 15-51).*

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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